

Moved by Winder

Seconded by Anthon

IN THE SENATE
SENATE AMENDMENT TO S.B. NO. 1112

AMENDMENT TO SECTION 1

1
2 On page 1 of the printed bill, delete lines 9 through 42; and on page 2,
3 delete line 1 through 25, and insert:

4 "67-465. SPECIAL SESSION CONVENED BY THE LEGISLATURE. (1) In order to
5 convene a special session of the legislature, the members of the house of
6 representatives and the members of the senate must deliver, by either hand
7 delivery or certified letter, return receipt requested, to the speaker of
8 the house of representatives and the president pro tempore of the senate a
9 single, joint petition signed by at least sixty percent (60%) of the members
10 of the house of representatives and sixty percent (60%) of the members of the
11 senate. The petition must include:

12 (a) The name and legislative district of each petitioner;

13 (b) The handwritten or electronic signature of each petitioner, in-
14 cluding signatures on any number of counterparts, and such counterparts
15 shall constitute one and the same petition;

16 (c) The specific subject or subjects to be considered during the spe-
17 cial session; and

18 (d) The identified need for the special session.

19 (2) The speaker of the house of representatives shall be responsible
20 for verifying the petitioners from the house of representatives, and the
21 president pro tempore of the senate shall be responsible for verifying the
22 petitioners from the senate. Upon verification of the requisite percentages
23 of signatories and elements of a petition established by this section, the
24 speaker of the house of representatives and the president pro tempore of the
25 senate will notify all members of the legislature that the petition has met
26 the legal requirements to convene a special session, shall publish a copy of
27 the petition upon which the special session is based on the legislature's
28 website, and shall declare the location, time, and date for the convocation
29 of the session. Such session must convene no sooner than forty-eight (48)
30 hours or later than fifteen (15) days after the petition is delivered to the
31 speaker of the house of representatives and the president pro tempore of the
32 senate; provided, however, if a demonstrable emergency exists that requires
33 immediate action by the legislature, the speaker of the house of represen-
34 tatives and the president pro tempore of the senate may agree to waive the
35 requirement to convene the legislature sooner than forty-eight (48) hours
36 from the date of the delivery of the petition.

37 (3) In the event either or both the speaker of the house of representa-
38 tives and the president pro tempore of the senate is deceased, has resigned,
39 or is incapacitated, the next highest-ranking member of the leadership of
40 that officer's party must fulfill that officer's duties under this section.

1 (4) If the speaker of the house of representatives or the president pro
2 tempore of the senate determines the petition lacks the requisite percent-
3 ages of signatories or elements of a petition established by this section,
4 they shall notify the members of the legislature that the petition is de-
5 ficient and the reasons for the deficiency, and no special session shall be
6 convened. Said petition shall not be used at any future time for the conven-
7 ing of a special session.

8 (5) At a special session convened pursuant to this section, the legis-
9 lature shall have no power to consider or pass any bills or resolutions on any
10 subjects other than those specified in the petition and those necessary to
11 provide for the expenses of the special session.

12 (6) A special session convened pursuant to this section takes prece-
13 dence over an extraordinary session convened by the governor, pursuant to
14 the governor's authority under section 8, article III, of the constitution
15 of the state of Idaho, during any part of the special session.

16 (7) A special session must convene in the capitol unless the speaker
17 of the house of representatives and the president pro tempore of the senate
18 jointly deem it unsafe or unwise to do so, in which case the session may be
19 convened at any location in the state as jointly designated by the speaker of
20 the house of representatives and the president pro tempore of the senate.

21 (8) The legislature sitting in special session shall determine the
22 length of the session."